

ORDER OF COURT

AND NOW, this 3rd day of January, 2022, upon consideration of the Motion to Certify Interlocutory Appeal (ECF No. 188) and the Motion for Leave to File Second Amended Complaint (ECF No. 186) filed by Plaintiffs Giant Eagle, Inc. and HBC Service Company, and for the reasons set forth in this Court's Memorandum Opinion of the same date, it is hereby ORDERED that the Motion to Certify Interlocutory Appeal is denied. It is hereby further ORDERED that the Motion for Leave to File Second Amended Complaint is denied.

It is hereby further ORDERED that the parties shall confer respecting the procedural posture of this matter following the issuance of this Court's Memorandum Opinion and Order, including whether the case is prepared to proceed to discovery or whether any further motion practice is anticipated. The parties are further directed to submit a joint status report within thirty (30) days advising the Court as to each party's position respecting the same.

BY THE COURT:

s/Robert J. Colville
Robert J. Colville
United States District Judge

cc/ecf: All counsel of record